

01.12.2025
Court No.25
M/L No.6
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 21120 of 2025

**Shri Suman Dey
Versus
State of West Bengal & Ors.**

Mr. Phatick Chandra Das
...for the Petitioner

Mr. Sanjay Saha
Mr. Raju Mondal
...for the Respondent No.5

Mr. Amal Kumar Sen, Ld. AAG
Mr, Suman Dey
...for the State

1. The grievance of the petitioner in the present writ application that the concerned authority issued road e-challan for transportation of sand/riverbed materials in favour of the petitioner on 21st August, 2025 at 6:04 pm and the said e-challan is valid till 22nd August, 2025. The e-challan being No. 10972943/T/25-26/210820250506/PS with respect to vehicle No. WB19S5944 (18 wheels) for the quantity of 850 cub. ft.
2. Learned counsel for the petitioner submits that the authority has apprehended the vehicle and the challan has been blocked. No reason has been assigned why the vehicle of the petitioner has been detained and till date no decision has been taken. On 24th August, 2025, the petitioner has made a detailed

representation to the Additional District Magistrate & District Land & Land Reforms Officer, Purba Bardhaman but till date the representation has not been considered. He submits that the vehicle is still in custody of the authority since 22nd August, 2025.

3. Learned counsel appearing for the respondent No.5 submits that the duty of the respondent No.5 only to issue the challan with regard to the plying of the vehicle whether the vehicle is being carried the proper load in terms of the challan is to be clarified by the State Authority. He further submits that the respondent No.5 has not connected detention of the vehicle of the petitioner and clocking the e-challan. He submits that the respondent No. is operating the portal as soon as the concerned authority will take decision, the respondent No.5 will open the portal and will allow the vehicle of the petitioner to move.
4. Learned counsel for the petitioner has relied upon unreported judgment in the case of **Shri Jahir Agmed Khan @ Jahir Khan & Anr. vs. The State of West Bengal & Ors.** passed in **WPA 8917 of 2025** dated 12th September, 2025 and submits that the similar matter came before this Court and this Court has passed the appropriate order and he prays for similar order.
5. Heard the learned counsel for the respective parties. This Court finds that the concerned authority has

issued the road e-challan for transportation of sand/riverbed materials on 21st August, 2025 at 6:04 pm and validity of the said challan till 22nd August, 2025 at 6:04 am but in the meantime the authority has detained the vehicle and blocked the e-challan of the petitioner and no allowing the petitioner take the vehicle. The authority has neither intimated to the petitioner with regard to the reason why the vehicle of the petitioner has been detained and no opportunity of hearing has been given to the petitioner. the petitioner also made a representation to the Additional District Magistrate but the same has also not been considered.

6. In view of the above, the writ petition is disposed of by directing the respondent No.3 to dispose of the representation submitted by the petitioner within a period of two working days from the date of communication of this order after giving an opportunity of hearing to the petitioner and by passing a reasoned and speaking order in accordance with law. It is clarified that if the Additional District Magistrate & the District Land & Land Reforms Officer, Purba Bardhaman is not satisfied with the writ petitioner's submissionw/contention, the State Authority shall be free to continue the blocking of the e-challan facilities in respect to the petitioner's vehicle or to impose fine upon the petitioner as may be permissible under the law.

7. Accordingly, WPA 21120 of 2025 is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
9. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)